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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/938,117	OGG, CRAIG L.
	Examiner	Art Unit
	Nathan Erb	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 October 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4,5 and 8-12</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4,5 and 8-12</u> is/are rejected.

7)☒ Claim(s) <u>1,5 and 9-12</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/ are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2.   Applicant's response to Office action was received on October 30, 2007.

3.   In response to applicant's arguments and amendment of the claims, all of the claim objections from the previous Office action are hereby withdrawn. However, note the new claim objections below in this Office action.

4.   In response to applicant's arguments and amendment of the claims, all of the rejections of the claims under 35 U.S.C. 112, second paragraph, from the previous Office action are hereby withdrawn. However, note the new rejections under 35 U.S.C. 112, second paragraph, below in this Office action with respect to the claim amendments.

5.   In response to applicant's amendment of the claims, the corresponding claim rejections have been correspondingly amended below in this Office action.

6.   The Examiner believes that the changes made to the prior art rejections below in this Office action render applicant's arguments concerning the prior art rejections to be no longer applicable.

Claim Objections

7.   Claims 1, 5, and 9-12 are objected to because of the following informalities:

   a. In the eighth line of claim 1, please replace the word "a" with --an--.

   b. In the eighth line of claim 5, please replace the word "a" with --an--.

   c. In the tenth line of claim 5, please remove the comma at the end of the line.

d. In the eighth line of claim 9, please replace the word "a" with --an--.

e. In the second line of claim 10, please replace the word "alpha-numeric" with --alphanumeric--.

f. In the eighth line of claim 11, please replace the word "a" with --an--.

g. In the second line of claim 12, please replace the word "alpha-numeric" with --alphanumeric--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

8.   Claims 1, 5, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding **Claims 1, 5, and 11**, the phrase "such as" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

9.   Claims 1, 5, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pierce et al., U.S. Patent No. 5,988,897 (hereinafter referred to as Pierce 1), in view of Sievel et al., U.S. Patent No. 4,780,835, in further view of Whitehouse, U.S. Patent No. 5,319,562, in further view of Rourke, U.S. Patent No. 5,384,886.

As per **Claims 1 and 5**, Pierce 1 discloses:

- providing client software having a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece, the client software further including a feature to verify the validity of the delivery address (Figure 3; column 2, lines 20-33; column 2, line 55, through column 3, line 4; column 3, lines 16-25; column 3, line 62, through column 4, line 11; column 4, lines 12-20; column 4, lines 21-33; column 4, lines 48-58; print screen function can be used to print a copy of the print preview screen which has an invalid indicium; the Host verifies each address at the time of mailpiece creation);

- wherein for cases where accounting for postage on a mail piece has not been affected, such as when a user has selected to print a sample mail piece or a sample label to be applied to a mail piece, printing a first designated indicium on the mail piece or a sample label to be applied to the mail piece (Figure 3; column 2, line 55, through column 3, line 4; column 3, lines 16-25; column 4, lines 21-33; column 4, lines 48-58; print screen function can be used to print a copy of the print preview screen which has an invalid indicium).

Pierce 1 fails to disclose a postage indicium fraud detection method for permitting the automated processing of void mail pieces for which accounting has not been affected bearing a (first) designated indicium (using existing automated mail handling equipment). Sievel et al. discloses a postage indicium fraud detection method for permitting the automated processing of void mail pieces for which accounting has not been affected bearing a (first) designated indicium (using existing automated mail handling equipment) (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the invention of Pierce 1 such that it includes a postage indicium fraud detection method for permitting the automated processing of void mail pieces for which accounting has not been affected bearing a (first) designated indicium (using existing automated mail handling equipment), as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such a method allows for identifying fraudulent mailpieces (column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 8, line 18, through column 9, line 2; column 9, lines 60-65).

Pierce 1 fails to disclose the first designated indicium comprising a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code (or is different from a valid POSTNET barcode that corresponds to an actual zip code), which first designated indicium identifies the mail piece as being a void mail piece (which is to be sorted from mail pieces not bearing the designated indicium). Sievel et al. further discloses the first designated indicium comprising a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code (or is different from a valid POSTNET barcode that corresponds to an actual zip code), which first designated indicium identifies the mail piece as being a void mail piece (which is to be sorted from mail pieces not bearing the designated indicium) (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65; barcode 47a in Figure 3A is a POSTNET barcode). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the first designated

indicium comprises a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code (or is different from a valid POSTNET barcode that corresponds to an actual zip code), which first designated indicium identifies the mail piece as being a void mail piece (which is to be sorted from mail pieces not bearing the designated indicium), as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such a configuration allows for the identification of fraudulent mailpieces (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65).

Pierce 1 fails to disclose providing automated mail handling equipment that reads markings, and storing data concerning (or that identifies) the designated (or valid) markings. Sievel et al. further discloses providing automated mail handling equipment that reads markings, and storing data concerning (or that identifies) the designated (or valid) markings (column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; postal system would necessarily have to have information stored that indicates which markings are valid and which are not valid). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that it provides automated mail handling equipment that reads markings, and stores data concerning (or that identifies) the designated (or valid) markings, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such equipment can be used to identify fraudulent mailpieces (column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 8, line 18, through column 9, line 2; column 9, lines 60-65).

Pierce 1 fails to disclose wherein the markings read by automated mail handling equipment are POSTNET barcodes. Sievel et al. further discloses wherein the markings read by automated mail handling equipment are POSTNET barcodes (Figure 3A; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65; barcode 47a in Figure 3A is a POSTNET barcode). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the markings read by automated mail handling equipment are POSTNET barcodes, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that many post offices are equipped with barcode readers (column 8, line 18, through column 9, line 2).

Pierce 1 fails to disclose (processing the void mail piece bearing the first designated indicium with the automated mail handling equipment by) using the automated mail handling equipment to read the first designated indicium (the POSTNET barcode) on the mail piece and compare it to the stored data and sort the void mail piece bearing the first designated indicium from mail pieces not bearing the first designated indicium (or if the read POSTNET barcode is not valid, identifying such mail piece as being a void mail piece, and segregating the void mail piece from other non-void mail pieces). Sievel et al. further discloses (processing the void mail piece bearing the first designated indicium with the automated mail handling equipment by) using the automated mail handling equipment to read the first designated indicium (the POSTNET barcode) on the mail piece and compare it to the stored data and sort the void mail piece bearing the first designated indicium from mail pieces not bearing the first designated indicium (or if the read POSTNET barcode is not valid, identifying such mail piece as being a

void mail piece, and segregating the void mail piece from other non-void mail pieces) (Figure

3A; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20;

column 9, lines 60-65; barcode 47a in Figure 3A is a POSTNET barcode; postal system would

necessarily have to have information stored that indicates which markings are valid and which

are not valid). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such

that it processes the void mail piece bearing the first designated indicium with the automated

mail handling equipment by using the automated mail handling equipment to read the first

designated indicium (the POSTNET barcode) on the mail piece and compare it to the stored data

and sort the void mail piece bearing the first designated indicium from mail pieces not bearing

the first designated indicium (or if the read POSTNET barcode is not valid, identify such mail

piece as being a void mail piece, and segregate the void mail piece from other non-void mail

pieces), as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such a

function allows for the identification of fraudulent mailpieces (Figure 3A; column 2, lines 34-49;

column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20;

column 9, lines 60-65).

Pierce 1 and Sievel et al. fail to disclose wherein the markings read by automated mail

handling equipment are FIM marking(s). Whitehouse discloses wherein the markings read by

automated mail handling equipment are FIM marking(s) (column 1, line 27, through column 2,

line 29; column 8, line 56, through column 9, line 30; column 12, lines 1-7). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to modify the

invention of Pierce 1 as modified above in this rejection such that the markings read by

automated mail handling equipment are FIM marking(s), as disclosed by Pierce 1. Motivation is provided by Whitehouse in that FIM markings can be used to sort and route mail (column 1, line 27, through column 2, line 29; column 8, line 56, through column 9, line 30; column 12, lines 1-7).

Pierce 1, Sievel et al., and Whitehouse fail to disclose the client software further providing the user with the opportunity to select an envelope size and customize an envelope size onto which will be printed the first designated indicium. Rourke discloses the client software further providing the user with the opportunity to select an envelope size and customize an envelope size onto which will be printed the first designated indicium (Figure 7; Figure 9; column 3, line 67, through column 4, line 26; column 7, lines 52-66; column 11, line 56, through column 12, line 24). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the client software further provides the user with the opportunity to select an envelope size and customize an envelope size onto which will be printed the first designated indicium, as disclosed by Rourke. Motivation is provided by Rourke in that such a feature allows a user to use the envelope size that the user prefers (Figure 7; Figure 9; column 3, line 67, through column 4, line 26; column 7, lines 52-66; column 11, line 56, through column 12, line 24).

As per **Claim 9**, Pierce 1 discloses:

- providing client software having a graphical user interface with a print postage screen into which is entered a delivery address, and an option to print a sample mail piece or a sample label to be applied to a mail piece (Figure 3; column 2, lines 20-33; column 2, line 55, through

column 3, line 4; column 3, lines 16-25; column 3, line 62, through column 4, line 11; column 4, lines 12-20; column 4, lines 21-33; column 4, lines 48-58; print screen function can be used to print a copy of the print preview screen which has an invalid indicium);

- authorizing the client software for a user to print information-based postage indicia onto a mail piece or a label for a mail piece (column 1, lines 26-39; column 2, line 55, through column 3, line 25; column 3, line 62, through column 4, line 11);

- entering a valid delivery address into the client software, and selecting a mail class by the user (Figure 3; column 4, lines 12-20; class must be indicated to software somehow, at least implicitly, for the indicium of Figure 3 to be printed);

- having the user verify and accept the delivery address and any modifications thereto (Figure 3; column 2, lines 45-52; column 4, lines 34-65; the point of print preview is to determine whether or not user wants to print the envelope based on its projected appearance; the decision by the user to print the previewed envelope would constitute verification and acceptance of the previewed delivery address);

- having the client software verify the correctness of the delivery address and make any necessary corrections thereto (column 2, lines 20-33; column 2, line 55, through column 3, line 25; column 3, line 62, through column 4, line 11);

- selecting between printing a sample void information-based postage indicia and a non-void information-based postage indicia (column 2, lines 45-52; column 2, line 55, through column 3, line 25; column 4, lines 21-33; column 4, line 66, through column 5, line 24; using the reference's method, user may either print a valid mailpiece or use the print screen command to print a copy of the void mailpiece);

- printing a sample void information-based postage indicia for void mail pieces and
printing non-void information-based postage indicia for non-void mail pieces (column 2, lines
45-52; column 2, line 55, through column 3, line 25; column 4, lines 21-33; column 4, line 66,
through column 5, line 24; using the reference's method, user may either print a valid mailpiece
or use the print screen command to print a copy of the void mailpiece);

- wherein a mail piece is an information-based postage indicia bearing mail piece (Figure
3; column 2, line 55, through column 3, line 25).

Pierce 1 fails to disclose a postage indicium fraud detection method for permitting the
automated processing and segregation of void mail pieces bearing a first designated indicium
from non-void mail pieces not bearing the first designated indicium for which accounting has not
been affected. Sievel et al. discloses a postage indicium fraud detection method for permitting
the automated processing and segregation of void mail pieces bearing a first designated indicium
from non-void mail pieces not bearing the first designated indicium for which accounting has not
been affected (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21;
column 7, line 60, through column 9, line 20; column 9, lines 60-65). It would have been
obvious to one of ordinary skill in the art at the time of applicant's invention to modify the
invention of Pierce 1 such that it includes a postage indicium fraud detection method for
permitting the automated processing and segregation of void mail pieces bearing a first
designated indicium from non-void mail pieces not bearing the first designated indicium for
which accounting has not been affected, as disclosed by Sievel et al. Motivation is provided by
Sievel et al. in that such a method allows for identifying fraudulent mailpieces (column 2, lines

34-49; column 2, line 53, through column 3, line 21; column 8, line 18, through column 9, line 2; column 9, lines 60-65).

Pierce 1 fails to disclose wherein the void mail piece or the label therefore is printed with the first designated indicium comprising a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code, which first designated indicium identifies the mail piece as a void mail piece. Sievel et al. further discloses wherein the void mail piece or the label therefore is printed with the first designated indicium comprising a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code, which first designated indicium identifies the mail piece as a void mail piece (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65; barcode 47a in Figure 3A is a POSTNET barcode). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the void mail piece or the label therefore is printed with the first designated indicium comprising a designated postal numeric encoding technique (POSTNET) barcode that comprises a plurality of vertical bars, which designated POSTNET barcode does not correspond to an actual zip code, which first designated indicium identifies the mail piece as a void mail piece, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such a configuration allows fraudulent void mailpieces to be identified without making the fraudulent user aware that his or her fraudulent use has been

identified (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65).

Pierce 1 fails to disclose providing automated mail handling equipment, and storing data that identifies the designated marking as corresponding to a void mail piece, which automated mail handling equipment is adapted to identify the first designated indicium on the mail piece and compare it to the stored data and segregate the void mail pieces from non-void mail pieces. Sievel et al. further discloses providing automated mail handling equipment, and storing data that identifies the designated marking as corresponding to a void mail piece, which automated mail handling equipment is adapted to identify the first designated indicium on the mail piece and compare it to the stored data and segregate the void mail pieces from non-void mail pieces (Figure 3A; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65; postal system would necessarily have to have information stored that indicates which markings are valid and which are not valid). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that it provides automated mail handling equipment, and stores data that identifies the designated marking as corresponding to a void mail piece, which automated mail handling equipment is adapted to identify the first designated indicium on the mail piece and compare it to the stored data and segregate the void mail pieces from non-void mail pieces, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that such a method allows for identifying and filtering out fraudulent mailpieces (column 2, lines 34-49; column 2, line 53, through column 3, line 21; column 8, line 18, through column 9, line 2; column 9, lines 60-65).

Pierce 1 fails to disclose wherein the marking identified by the stored data is a POSTNET barcode. Sievel et al. further discloses wherein the marking identified by the stored data is a POSTNET barcode (Figure 3A; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65; barcode 47a in Figure 3A is a POSTNET barcode). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the marking identified by the stored data is a POSTNET barcode, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that using a POSTNET barcode requires no change in post office equipment (Figure 3A; column 2, line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65).

Pierce 1 and Sievel et al. fail to disclose wherein the marking identified by the stored data is an FIM marking. Whitehouse discloses wherein the marking identified by the stored data is an FIM marking (column 1, line 27, through column 2, line 29; column 8, line 56, through column 9, line 30; column 12, lines 1-7). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such that the marking identified by the stored data is an FIM marking, as disclosed by Whitehouse. Motivation is provided by Whitehouse in that FIM markings can be used to sort and route mail (column 1, line 27, through column 2, line 29; column 8, line 56, through column 9, line 30; column 12, lines 1-7).

Pierce 1, Sievel et al., and Whitehouse fail to disclose the client software further providing the user with the opportunity to select an envelope size and customize an envelope size onto which will be printed the first designated indicium. Rourke discloses the client software

further providing the user with the opportunity to select an envelope size and customize an

envelope size onto which will be printed the first designated indicium (Figure 7; Figure 9;

column 3, line 67, through column 4, line 26; column 7, lines 52-66; column 11, line 56, through

column 12, line 24). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such

that the client software further provides the user with the opportunity to select an envelope size

and customize an envelope size onto which will be printed the first designated indicium, as

disclosed by Rourke. Motivation is provided by Rourke in that such a feature allows a user to

use the envelope size that the user prefers (Figure 7; Figure 9; column 3, line 67, through column

4, line 26; column 7, lines 52-66; column 11, line 56, through column 12, line 24).

        As per **Claim 11**, Pierce 1 discloses:

        - providing client software having a user with a graphical user interface with a print

postage screen into which is entered a delivery address, and an option to print a sample mail

piece or a sample label to be applied to a mail piece, the client software further including a

feature to verify the validity of the delivery address (Figure 3; column 2, lines 20-33; column 2,

line 55, through column 3, line 4; column 3, lines 16-25; column 3, line 62, through column 4,

line 11; column 4, lines 12-20; column 4, lines 21-33; column 4, lines 48-58; print screen

function can be used to print a copy of the print preview screen which has an invalid indicium;

the Host verifies each address at the time of mailpiece creation);

        - wherein for cases where accounting for postage on a mail piece has not been affected,

such as when a user has selected to print a sample mail piece or a sample label to be applied to a

mail piece, using the client software to print the first designated indicium on a mail piece or a

label to be applied to a mail piece (Figure 3; column 2, line 55, through column 3, line 4; column

3, lines 16-25; column 3, line 62, through column 4, line 11; column 4, lines 21-33; column 4,

lines 48-58; print screen function can be used to print a copy of the print preview screen which

has an invalid indicium).

Pierce 1 fails to disclose a postage indicium fraud detection method for permitting the

automated processing, identification, and segregation of void mail pieces for which accounting

has not been affected bearing a first designated indicium. Sievel et al. discloses a postage

indicium fraud detection method for permitting the automated processing, identification, and

segregation of void mail pieces for which accounting has not been affected bearing a first

designated indicium (Figure 3A; column 2, lines 34-49; column 2, line 53, through column 3,

line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65). It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the

invention of Pierce 1 such that it includes a postage indicium fraud detection method for

permitting the automated processing, identification, and segregation of void mail pieces for

which accounting has not been affected bearing a first designated indicium, as disclosed by

Sievel et al. Motivation is provided by Sievel et al. in that such a method allows for identifying

and filtering fraudulent mailpieces (column 2, lines 34-49; column 2, line 53, through column 3,

line 21; column 8, line 18, through column 9, line 2; column 9, lines 60-65).

Pierce 1 fails to disclose sorting mail based on indicia placed on mail pieces using

automated mail handling equipment. Sievel et al. further discloses sorting mail based on indicia

placed on mail pieces using automated mail handling equipment (Figure 3A; column 2, line 53,

through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65;

indicia are POSTNET barcodes). It would have been obvious to one of ordinary skill in the art at

the time of applicant's invention to modify the invention of Pierce 1 as modified above in this

rejection such that it sorts mail based on indicia placed on mail pieces using automated mail

handling equipment, as disclosed by Sievel et al. Motivation is provided by Sievel et al. in that

such a method allows for identifying and filtering fraudulent mailpieces (column 2, lines 34-49;

column 2, line 53, through column 3, line 21; column 8, line 18, through column 9, line 2;

column 9, lines 60-65).

Pierce 1 fails to disclose comparing the first designated indicium on the mail piece with

stored data and using the automated mail handling equipment to segregate mail pieces bearing

the first designated indicium from mail pieces not bearing the designated indicium. Sievel et al.

further discloses comparing the first designated indicium on the mail piece with stored data and

using the automated mail handling equipment to segregate mail pieces bearing the first

designated indicium from mail pieces not bearing the designated indicium (Figure 3A; column 2,

line 53, through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines

60-65; postal system would necessarily have to have information stored that indicates which

markings are valid and which are not valid). It would have been obvious to one of ordinary skill

in the art at the time of applicant's invention to modify the invention of Pierce 1 as modified

above in this rejection such that it compares the first designated indicium on the mail piece with

stored data and uses the automated mail handling equipment to segregate mail pieces bearing the

first designated indicium from mail pieces not bearing the designated indicium, as disclosed by

Sievel et al. Motivation is provided by Sievel et al. in that such a function allows for the

identification of fraudulent mailpieces (Figure 3A; column 2, lines 34-49; column 2, line 53,

through column 3, line 21; column 7, line 60, through column 9, line 20; column 9, lines 60-65).

Pierce 1 and Sievel et al. fail to disclose the first designated indicium comprising a

unique facing identification marking (FIM) having a plurality of vertical bars arranged

differently from FIM A, FIM B, and FIM C markings. Whitehouse discloses the first designated

indicium comprising a unique facing identification marking (FIM) having a plurality of vertical

bars arranged differently from FIM A, FIM B, and FIM C markings (Figure 5; column 2, lines

14-23; column 8, line 56, through column 9, line 30; column 9, lines 31-40; column 12, lines 1-

7). It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to modify the invention of Pierce 1 as modified above in this rejection such that the

first designated indicium comprises a unique facing identification marking (FIM) having a

plurality of vertical bars arranged differently from FIM A, FIM B, and FIM C markings, as

disclosed by Whitehouse. Motivation is provided by Whitehouse in that a new FIM marking can

be used to further distinguish mail pieces from each other without requiring new postal

equipment (Figure 5; column 2, lines 14-23; column 8, line 56, through column 9, line 30;

column 9, lines 31-40; column 12, lines 1-7).

Pierce 1, Sievel et al., and Whitehouse fail to disclose the client software further

providing the user with the opportunity to select an envelope size and customize an envelope size

onto which will be printed the first designated indicium. Rourke discloses the client software

further providing the user with the opportunity to select an envelope size and customize an

envelope size onto which will be printed the first designated indicium (Figure 7; Figure 9;

column 3, line 67, through column 4, line 26; column 7, lines 52-66; column 11, line 56, through

column 12, line 24). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to modify the invention of Pierce 1 as modified above in this rejection such

that the client software further provides the user with the opportunity to select an envelope size

and customize an envelope size onto which will be printed the first designated indicium, as

disclosed by Rourke. Motivation is provided by Rourke in that such a feature allows a user to

use the envelope size that the user prefers (Figure 7; Figure 9; column 3, line 67, through column

4, line 26; column 7, lines 52-66; column 11, line 56, through column 12, line 24).

10.   Claims 4, 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Pierce 1 in view of Sievel et al. in further view of Whitehouse in further view of Rourke in

further view of Anonymous, "USPS Tries New Letter Tracking System," <u>Resource</u>, St. Joseph,

May 2000, p. 15.

As per **<u>Claims 4 and 8</u>**, Pierce 1, Sievel et al., Whitehouse, and Rourke fail to disclose

wherein an additional indicium (or second designated indicia) comprising a designated postal

alphanumeric encoding technology barcode is printed onto the mail piece or label for the mail

piece, which designated postal alphanumeric encoding technology barcode is used (by automated

mail handling equipment) to identify a sender of the mail piece. Anonymous discloses wherein

an additional indicium (or second designated indicia) comprising a designated postal

alphanumeric encoding technology barcode is printed onto the mail piece or label for the mail

piece, which designated postal alphanumeric encoding technology barcode is used (by automated

mail handling equipment) to identify a sender of the mail piece (Section A). It would have been

obvious to one of ordinary skill in the art at the time of applicant's invention to modify the

invention of Pierce 1 as modified in the rejection for claims 1 and 5 such that an additional

indicium (or second designated indicia) comprising a designated postal alphanumeric encoding

technology barcode is printed onto the mail piece or label for the mail piece, which designated

postal alphanumeric encoding technology barcode is used (by automated mail handling

equipment) to identify a sender of the mail piece, as disclosed by Anonymous. Motivation is

provided by Anonymous in that a PLANET code is effective at identifying the sender of a mail

piece (Section A).

As per **Claim 10**, Pierce 1, Sievel et al., Whitehouse, and Rourke fail to disclose printing

a postal alpha-numeric encoding technology barcode onto the mail piece or label therefore which

is used by automated mail handling equipment to identify a sender of the void mail piece.

Anonymous discloses printing a postal alpha-numeric encoding technology barcode onto the

mail piece or label therefore which is used by automated mail handling equipment to identify a

sender of the void mail piece (Section A). It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to modify the invention of Pierce 1 as modified in the

rejection for claim 9 such that it prints a postal alpha-numeric encoding technology barcode onto

the mail piece or label therefore which is used by automated mail handling equipment to identify

a sender of the void mail piece, as disclosed by Anonymous. Motivation is provided by

Anonymous in that a PLANET code is effective at identifying the sender of a mail piece (Section

A).

As per **Claim 12**, Pierce 1, Sievel et al., Whitehouse, and Rourke fail to disclose wherein

the client software is adapted to generate a postal alpha-numeric encoding technology barcode,

which when printed on a mail piece or label therefore is used by automated mail handling

equipment to identify a sender of the void mail piece. Anonymous discloses wherein the client

software is adapted to generate a postal alpha-numeric encoding technology barcode, which

when printed on a mail piece or label therefore is used by automated mail handling equipment to

identify a sender of the void mail piece (Section A). It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to modify the invention of Pierce 1 as

modified in the rejection for claim 11 such that the client software is adapted to generate a postal

alpha-numeric encoding technology barcode, which when printed on a mail piece or label

therefore is used by automated mail handling equipment to identify a sender of the void mail

piece, as disclosed by Anonymous. Motivation is provided by Anonymous in that a PLANET

code is effective at identifying the sender of a mail piece (Section A).

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12.   **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

13.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to NATHAN ERB whose telephone number is (571)272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.
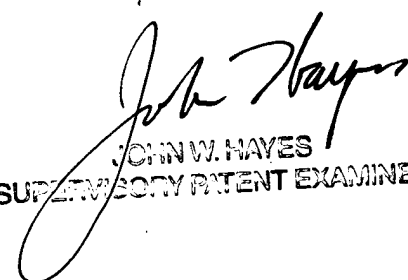
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nathan Erb
Examiner
Art Unit 3628

nhe

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER